



# CITY OF EL MONTE

## CITY CLERK'S OFFICE

City Clerk  
LORENE GUTIERREZ

Chief Deputy City Clerk/  
Records Manager  
M. HELEN LOPEZ, CMC

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

August 3, 2012

Ms. Sachi A. Hamai, Executive Officer  
Board of Supervisors  
Kenneth Hanh Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, California 90012

39 August 21, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Ms. Sachi A. Hamai, Executive Officer Board of Supervisors:

Enclosed is a certified copy of the following resolutions which were adopted at an adjourned regular meeting of the El Monte City Council, held on July 31, 2012.

1. **Resolution No. 9303**, Requesting Declaring a Fiscal Emergency and Calling and giving notice of a Special Municipal Election to be held Tuesday, November 6, 2012, to Submit to the Voters of the City of El Monte a Question Relating to the Implementation of a Business License Fee of One (1) Cent Per Ounce of Sugar Sweetened Beverages Served Provided or Traded by Businesses in the City. With the County – Administered General Election of the same day.
2. **Resolution No. 9304**, Requesting that the Board of Supervisors for the County of Los Angeles Approve Consolidation of an El Monte Special Municipal Election to be held on Tuesday, November 6, 2012, with the County – Administered General Election of the same day.
3. **Resolution No. 9305**, Requesting the Board of Supervisors of the County of Los Angeles and the Registrar-Recorder / County Clerk for the County of Los Angeles to Render Specific Services and Consolidation Election Services to the City Relating to the Conduct of the City's Special Municipal Election of Tuesday, November 6, 12, Which is to be Consolidated with the County – Administered General Election of the same date.
4. **Resolution No. 9306**, Setting Priorities for Filing Written Arguments and Rebuttals Regarding City Measures and Directing the City Attorney to Prepare an Impartial Analysis.
5. **Resolution No. 9313**, Requesting that the Board of Supervisors for the County of Los Angeles Approve Consolidation of an El Monte Advisory Election in

5. **Ordinance No. 2799**, An Ordinance of the People of the City of El Monte Imposing a General Business License Fee Measured by the Serving, Providing or Trading of Sugar Sweetened Beverages, Subject to Voter Approval.
6. **Resolution No. 9313**, Requesting that the Board of Supervisors for the County of Los Angeles Approve Consolidation of an El Monte Advisory Election in Connection with a Special Municipal Election to be Held on Tuesday, November 6, 2012, with the County – Administered General Election of the same day.
7. **Resolution No. 9314**, Calling, Giving Notice of a Special Election / Advisory Election and Requesting Consolidation of an El Monte Special Municipal Election to be held on Tuesday, November 6, 2012, with the County – Administered General Election of the same day.
8. **Resolution No. 9315**, Requesting the Board of Supervisors of the County of Los Angeles and the Registrar – Recorder / County Clerk for the County of Los Angeles to Render Specific Services and Consolidated Election Services to the City Relating to the Conduct of the City's Special Municipal Election / Advisory Election of Tuesday, November 6, 2012, which is to be Consolidated with the county – Administered general Election of the same day.
9. **Resolution No. 9316**, Setting Priorities for Filing Written Arguments and Rebuttals Regarding City Measures and Directing the City Attorney to Prepare an Impartial Analysis.
10. **Ordinance No. 2802**, An Ordinance of El Monte City Council Adding Section 15.10.095 of Chapter 15.10 (Sugar Sweetened Beverages) of Title 5 (Business License Taxes) of the El Monte Municipal Code.
11. **Resolution No. 9321**, Giving Notice and Calling a Special Municipal Election to be held Tuesday, November 6, 2012 to submit to the Voters of the City of El Monte a Question Relating to the Repeal of a 1990 Voter Approved Ordinance which Prevents the City of El Monte From Inquiring into the Reasonableness of Rent Levels in Mobilehome Parks (Fairness for Mobilehome Owners Ordinance)
12. **Resolution No. 9322**, Requesting that the Board of Supervisors of Los Angeles County Approve Consolidation of an El Monte Special Municipal Election to be held on Tuesday, November 6, 2012 with the County – Administered General Election of the same day. (Fairness for Mobilehome Owners Ordinance)

13. **Resolution No. 9323**, Requesting the Board of Supervisors of the County of Los Angeles and the Registrar – Recorder / County Clerk for the County of Los Angeles to Render Specific Services and Consolidated Election Services to the City Relating to the Conduct of the City's Special Municipal Election of Tuesday, November 6, 2012, which is to be Consolidated with the County – Administered General Election of the same date. (Fairness for Mobilehome Owner Ordinance)
14. **Resolution No. 9324**, Setting Priorities for Filing Written Arguments and Rebuttals Regarding a City Ballot Measure and Directing the City Attorney to prepare an Impartial Analysis (Fairness for Mobilehome Owners Ordinance)
15. **Ordinance No. 2804**, (November 6, 2012 Special Municipal Election Ballot Measure) An Ordinance of the People of the City of El Monte Repealing the Voter Initiative Ordinance Approved at the El Monte Municipal Election Conducted on April 10, 1990 Regarding Mobilehome Park Rent.

If you have any questions or need additional information, please do not hesitate to contact this office at (626) 580-2020 during normal business hours, Monday through Thursday, between the hours of 7:30 a.m. to 5:30 p.m.

Respectfully,

LORENE GUTIERREZ  
CITY CLERK



M. Helen Mireles, CMC  
Chief Deputy City Clerk/Records Manager

Cc: Mr. Dean C. Logan  
Registrar-Recorder / County Clerk  
Election Planning and Coordination Section  
12400 E. Imperial Highway, 2<sup>nd</sup> Floor, Room 2015  
Norwalk, California 90650  
Phone: (562) 462-2317 Fax: (562) 466-6025  
E-mail: [joshhunter@rrcc.lacounty.gov](mailto:joshhunter@rrcc.lacounty.gov)

Ms. Sachi A. Hamai, Executive Officer  
Board of Supervisors  
Kenneth Hanh Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, California 90012

**11A.5 (EL MONTE VITAL SERVICES VOTER MEASURES)**

**Approve Resolutions and Related Ordinance of the El Monte City Council Calling an Advisory Election to be Held on Tuesday, November 6, 2012 Asking Voters if they Prefer the use of Proceeds Collected from a Sugary Beverage Business License Fee to be directed towards El Monte Vital City Services and/or Childhood Obesity Prevention Programs:**

Resolution No. 9313 (Calling of Advisory Election)

Resolution No. 9314 (Requesting Board of Supervisors to Consolidate Advisory Election with November 6, 2012 General Election)

Resolution No. 9315 (Requesting County Registrar of Voters to Provide Certain Election Services)

Resolution No. 9316 (Advisory Measure Ballot Arguments)

**Adopt Proposed Citizen Oversight Committee Ordinance:**

Ordinance No. 2802 (First Reading)

**Ratification of Changes made by Motion During the July 24, 2012 Adjourned Regular/Special City Council Meeting to the Sugar Sweetened Beverage Tax Ordinance and Resolutions:**

Resolution No. 9303 (Declaring Fiscal Emergency and Calling Special Election)

Resolution No. 9304 (Requesting Board of Supervisors to Consolidate Special Election with General Election on November 6, 2012)

Resolution No. 9305 (Requesting County Registrar Recorder to Provide Certain Election Services)

Resolution No. 9306 (Ballot Arguments for Special Election)

Ordinance No. 2799 (El Monte Vital Services/Sugary Beverage Business License Fee)

**Report given by: David Gondek, Senior Deputy City Attorney**

m) Macias  
s) Patel  
5-0  
Open P.H.

m) Macias  
s) Martinez  
5-0  
Close P.H.

m) Quintero  
s) Macias  
5-0  
Advisory Committee

m) Quintero  
s) Macias  
5-0  
Approve P.H.





**11A.7 (EL MONTE FAIRNESS FOR MOBILEHOME OWNERS ORDINANCE)**

Consideration, Approval and Adoption of a Resolution Calling and Giving Notice of a Special Municipal Election to be Held on November 6, 2012 to Submit to the Voters of the City of El Monte a Ballot Question (**Fairness for Mobilehome Owners Ordinance**).

Approval of Related Resolution: (1) Seeking Consolidation of a Special Municipal Election with County-Administered General Election of the Same Day; (2) Requesting Assistance from Los Angeles County for the Administration of the November 6, 2012 Special Municipal Election; and (3) Setting Priorities for the Filing of Written Arguments and Rebuttals and Directing the City Attorney to Prepare an Impartial Analysis.

Provisional Approval of an Ordinance Repealing the Voter Approved April 10, 1990 Ordinance (Final Approval Subject to Approval by Voters at Special Municipal Election of November 6, 2012).

Resolution No. 9321 (Calling Special Election)

Resolution No. 9322 (Request that Board of Supervisors to Consolidate Special Election with General Election on November 6, 2012)

Resolution No. 9323 (Request that Registrar Recorder Provide Certain Election Services)

Resolution No. 9324 (Special Election Arguments)

Ordinance No. 2804 (El Monte Fairness for Mobilehome Owners)

**Report given by: David Gondek, Senior Deputy City Attorney**

m) Macias

s) Patel

5-0

Open P.H.

m) Macias

s) Martinez

5-0

Close P.H.

m) Macias

s) Patel

5-0

Approve P.H.

Recess for 5 minutes @ 8:45 p.m.

Reconvened @ 9:00 p.m. (all present)





STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF EL MONTE            )

I, M. HELEN MIRELES, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of Resolution No. 9303, 9304, 9305, 9306, 9313, 9314, 9315, 9316, 9321, 9322, 9323, 9324 and Ordinance No. 2799, 2802 and 2804, approved at the adjourned regular El Monte City Council meeting held on Tuesday, July 31, 2012.

M. Helen Mireles, CMC  
Chief Deputy City Clerk/  
Records Manager, El Monte, California

RESOLUTION NO. 9303

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE DECLARING A FISCAL EMERGENCY AND CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 2012 TO SUBMIT TO THE VOTERS OF THE CITY OF EL MONTE A QUESTION RELATING TO THE IMPLEMENTAION OF A BUSINESS LICENSE FEE OF ONE (1) CENT PER OUNCE OF SUGAR SWEETENED BEVERAGES SERVED, PROVIDED OR TRADED BY BUSINESSES IN THE CITY

WHEREAS, the budget of the City of El Monte ("City"), like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including a depressed housing market, major sales tax reductions caused by the closure of large business operations like automobile dealerships as is the case in El Monte, increased costs for municipal services and State take-a-ways and regulatory mandates; and

WHEREAS, recent economic challenges have forced the City to make significant cuts to staff and services that have presented considerable challenges to the City's ability to maintain adequate core service levels (including public safety and emergency response services) needed to safeguard the health, safety and welfare of the public; and

WHEREAS, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California, including the El Monte Community Redevelopment Agency;

WHEREAS, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant ("CDBG") Budget as well as the Home Program Budget for Fiscal Years 2012-2013 and beyond;

WHEREAS, the elimination of both redevelopment, reductions to the CDBG and Home Program funding and reductions in sales tax revenues due to the closure automobile dealerships in the City have deprived the City of significant funding sources that helped absorb a significant portion of the City's services and staffing needs over the years;

WHEREAS, the loss of these vital funding sources has created short and long term strains on the City's still fragile general fund revenues and depleted general fund reserves; and

WHEREAS, the long term loss of redevelopment and CDBG and Home Program funds and automobile dealerships places the City at serious risk of depleting its still meager reserves thereby increasing the need to make additional cuts to personnel and services which remain deeply understaffed in light of prior rounds of budget cutting in prior fiscal years; and

WHEREAS, in response to these ongoing fiscal stresses, City Departments have worked diligently under the City Manager's Office and the City's Finance Division to reduce departmental expenditures and implement strategies for greater cost efficiency; and

WHEREAS, budget-cutting alone is not sufficient to address long term issues of fiscal solvency- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

WHEREAS, the City, despite significant improvements in its fiscal accountability, is again at imminent risk of operating paycheck to paycheck in the very near future if a long term funding source cannot be found to close the funding gaps created by the loss of redevelopment, CDBG and Home Program funding and the closure of auto dealerships; and

WHEREAS, the City's fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and

WHEREAS, the City imposes business license fees upon businesses in the City; and

WHEREAS, business license fees are imposed to raise revenue and not for regulation and constitute a general tax; and

WHEREAS, the ordinance attached hereto as Exhibit "A" and incorporated herein by reference (the "Ordinance") would impose an additional business license fee measured by the serving, providing, or trading of sugar-sweetened beverages; and

WHEREAS, the City's proposed sugary sweetened beverage license fee ordinance will help to preserve basic community services and infrastructure obligations during the current economic downturn has prevented the City from building critical operating reserves; and

WHEREAS, a sugary beverage business license fee would i) raise funds to be used for general municipal purposes, including without limitation the initiation of nutritional and health programs for youth and senior citizens; ii) raise the relative price of unhealthy beverages thereby discouraging their consumption; and iii) decrease sales of those beverages and influence demand for healthier alternatives, which may encourage beverage manufacturers to reformulate their products; and

WHEREAS, the elimination of redevelopment and federal funding sources have served to undermine the City's original recovery projections and in the absence of secure long-term funding sources risk plunging the City back into a condition of deficit and insufficient reserves; and

WHEREAS, pursuant to Section 2(b) of California Constitution Article XIII C, the City Council has unanimously declared the existence of a fiscal emergency in that there are imminent financial risks and dangers, as described above, to the public welfare and the City's financial ability to provide essential municipal services without disruption, and has called a special municipal election on Tuesday, November 6, 2012, at which election, the Ordinance shall be submitted to the qualified voters of the City of El Monte; and

WHEREAS, Election Code Section 9222 authorizes the City Council to submit the Ordinance for approval by the voters; and

WHEREAS, it is desirable that the Special Municipal Election as hereby called by this Resolution be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the Special Municipal Election and that the Special Municipal Election be held in all respects as if it were part and parcel of the County-administered General Election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation.

WHEREAS, the implementation of the business license fee as more fully set forth in the Ordinance would go into effect January 1, 2013, following voter approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Monte as follows:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities and Elections Code Section 9222 and 12001, the City Council hereby orders and calls a special municipal election to be held in the City of El Monte, California on Tuesday, November 6, 2012, and this special election shall be consolidated with the County-



administered General Election to be held on said date, for the purpose of submitting to the qualified electors of the City a measure seeking approval to implement a business license fee of one (1) cent per ounce of sugar sweetened beverages served, provided or traded by businesses in the City, all as more fully set forth in the Ordinance.

SECTION 2. Because of the threat to the public health, safety and welfare as set forth in the foregoing recitals of this Resolution, the City Council of the City of El Monte now hereby unanimously finds and declares a fiscal emergency, as the term "emergency" is used in Article XIIC, Section 2(b) of the California Constitution, in the City of El Monte justifying the call for a special municipal election for Tuesday, November 6, 2012, in order for the City to propose, and City voters to consider, the adoption of the Ordinance which implements a business license fee of one (1) cent per ounce of sugar sweetened beverages served, provided or traded by businesses in the City.

SECTION 3. The measure as more fully set forth in the Ordinance to be placed on the ballot for the special municipal election hereby called shall be printed in the ballots used at said election in substantially the following form:

<b>The El Monte Vital City Services/Childhood Obesity Prevention Measure.</b>  To offset state cuts and maintain police, fire, 9-1-1 emergency services, gang prevention, graffiti removal, youth after school/nutritional/fitness/health programs, senior services; pothole repair; and other general fund services shall an ordinance be adopted implementing a business license fee of one (1) cent per fluid ounce of sugar sweetened beverage served/ provided/traded by businesses in the City requiring annual audits and all funds used locally?	YES
	NO

The foregoing question requires the approval of a simple majority of those casting votes on the Ordinance. It is further requested that the County assign an identifying letter to the measure as more fully set forth in the Ordinance.

SECTION 4. The ballots to be used at the election shall be in form and content as required by law.

SECTION 5. The polls shall be open at 7:00 a.m. of the day of the special election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 6. Under separate resolution, the Board of Supervisors of Los Angeles County shall cause the precincts, polling places and election officers for said election to be established and cause the returns of said election to be canvassed and to certify the same to the City Council of the City of El Monte. The vote requirement for passage of the measure is a majority of the votes cast (50% plus 1).

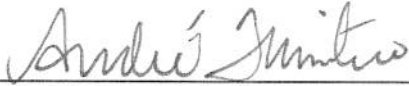
SECTION 7. The City Council hereby directs the City Clerk to transmit a copy of the measure as more fully set forth in the Ordinance to the City Attorney. The City Attorney shall cause to be prepared an impartial analysis of the passage of the Ordinance showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of the primary arguments.

SECTION 8. In all particulars not recited in this Resolution, the election hereby called shall be as provided by law for holding municipal elections in the City.

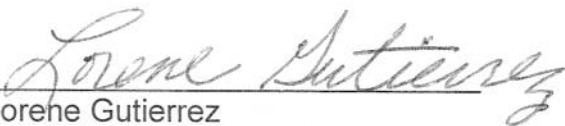
SECTION 9. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.

  
Andre Quintero,  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) SS:  
CITY OF EL MONTE               )

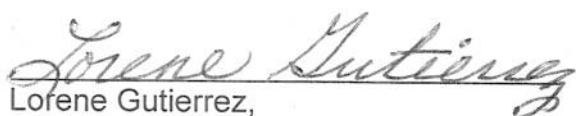
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9303 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte



RESOLUTION NO. 9304

A RESOLUTION OF THE EL MONTE CITY COUNCIL REQUESTING THAT THE BOARD OF SUPERVISORS FOR THE COUNTY OF LOS ANGELES APPROVE CONSOLIDATION OF AN EL MONTE SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DAY

WHEREAS, the City Council of the City of El Monte has called a Special Municipal Election to be held on the day of the County-administered General Election of November 6, 2012; and

WHEREAS, the City Council is submitting to the qualified voters of the City of El Monte an ordinance in the form as attached to City Council Resolution No. 9303 (the "Ordinance") to adopt an ordinance implementing a business license fee of one (1) cent per ounce of sugar sweetened beverages served, provided or traded by businesses in the City; and

WHEREAS, the budget of the City of El Monte ("City"), like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including a depressed housing market, major sales tax reductions caused by the closure of large business operations like automobile dealerships as is the case in El Monte, increased costs for municipal services and State take-a-ways and regulatory mandates; and

WHEREAS, recent economic challenges have forced the City to make significant cuts to staff and services that have presented considerable challenges to the City's ability to maintain adequate core service levels (including public safety and emergency response services) needed to safeguard the health, safety and welfare of the public; and

WHEREAS, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California, including the El Monte Community Redevelopment Agency;

WHEREAS, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant ("CDBG") Budget as well as the Home Program Budget for Fiscal Years 2012-2013 and beyond;

WHEREAS, the elimination of both redevelopment, reductions to the CDBG and Home Program funding and reductions in sales tax revenues due to the closure automobile dealerships in the City have deprived the City of significant funding sources that helped absorb a significant portion of the City's services and staffing needs over the years;

WHEREAS, the loss of these vital funding sources has created short and long term strains on the City's still fragile general fund revenues and depleted general fund reserves; and

WHEREAS, the long term loss of redevelopment and CDBG and Home Program funds and automobile dealerships places the City at serious risk of depleting its still meager reserves thereby increasing the need to make additional cuts to personnel and services which remain deeply understaffed in light of prior rounds of budget cutting in prior fiscal years; and

WHEREAS, in response to these ongoing fiscal stresses, City Departments have worked diligently under the City Manager's Office and the City's Finance Division to

reduce departmental expenditures and implement strategies for greater cost efficiency; and

WHEREAS, budget-cutting alone is not sufficient to address long term issues of fiscal solvency- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

WHEREAS, the City, despite significant improvements in its fiscal accountability, is again at imminent risk of operating paycheck to paycheck in the very near future if a long term funding source cannot be found to close the funding gaps created by the loss of redevelopment, CDBG and Home Program funding and the closure of auto dealerships; and

WHEREAS, the City's fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and

WHEREAS, the City imposes business license fees upon businesses in the City; and

WHEREAS, business license fees are imposed to raise revenue and not for regulation and constitute a general tax; and

WHEREAS, the Ordinance would impose an additional business license fee measured by the serving, providing, or trading of sugar-sweetened beverages; and

WHEREAS, the City's proposed sugary sweetened beverage license fee measure will help to preserve basic community services and infrastructure obligations during the current economic downturn has prevented the City from building critical operating reserves; and

WHEREAS, where as the elimination of redevelopment and federal funding sources have served to undermine the City's original recovery projections and in the absence of secure long-term funding sources risk plunging the City back into a condition of deficit and insufficient reserves; and

WHEREAS, pursuant to Section 2(b) of California Constitution Article XIII C, the City Council has unanimously declared the existence of a fiscal emergency in that there are imminent financial risks and dangers, as described above, to the public welfare and the City's financial ability to provide essential municipal services without disruption, and has called a special municipal election on Tuesday, November 6, 2012, at which election, the Ordinance shall be submitted to the qualified voters of the City of El Monte; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the Special Municipal Election and that the Special Municipal Election be held in all respects as if it were part and parcel of the County-administered General Election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, it is respectfully requested that the Board of Supervisors of

the County of Los Angeles (the "Board of Supervisors") consent and agree to the consolidation of the City of El Monte's November 6, 2012 Special Municipal Election as called by City Council Resolution No. 9303, with the County-administered General Election of the same date.

SECTION 2. The El Monte Special Municipal Election as called by City Council Resolution No. 9303 shall be for the purpose of submitting to El Monte voters the following ballot measure question:

<b>The El Monte Vital City Services/Childhood Obesity Prevention Measure.</b>  To offset state cuts and maintain police, fire, 9-1-1 emergency services, gang prevention, graffiti removal, youth after school/nutritional/fitness/health programs, senior services; pothole repair; and other general fund services shall an ordinance be adopted implementing a business license fee of one (1) cent per fluid ounce of sugar sweetened beverage served/ provided/traded by businesses in the City requiring annual audits and all funds used locally?	YES
	NO

It is respectfully requested that the County assign an identifying letter to this measure of the City.

SECTION 3. That it is also respectfully requested that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles (the "County Registrar") to canvass the returns of the consolidated El Monte Special Municipal Election as called by City Council Resolution No. 9303 and that said election be held in all respects as if it were part and parcel of the County-administered General Election of the same date.

SECTION 4. That it is further respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a) Print and supply ballots for the City of El Monte Special Municipal Election;
- b) Mail the ballot question, ballot arguments, rebuttals, and the City Attorney's Impartial Analysis to the registered voters in the City of El Monte.

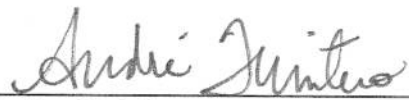
SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election requested above.

SECTION 6. That the City Council of the City of El Monte, recognizing that additional costs may be incurred by the County of Los Angeles by reason of consolidation, agrees to reimburse the County for any such costs.

SECTION 7. That the City Clerk of the City of El Monte is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk along with a certified copy of City Council Resolution No. 9303 calling the November 6, 2012 Special Municipal Election.

SECTION 8. That the City Clerk of the City of El Monte shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            ) SS:  
CITY OF EL MONTE                    )

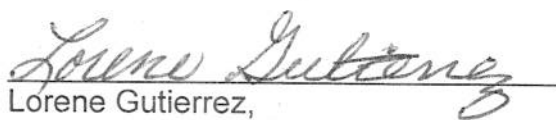
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9304 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
\_\_\_\_\_  
Lorene Gutierrez,  
City Clerk of the City of El Monte



RESOLUTION NO. 9305

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S SPECIAL MUNICIPAL ELECTION OF TUESDAY, NOVEMBER 6, 2012 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DATE

WHEREAS, a Special Municipal Election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 6, 2012 in accordance with City Council resolution No. 9303 and other applicable law; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 9304 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's Special Municipal Election as called by City Council Resolution No. 9303 with the County-administered General Election to be held Tuesday, November 6, 2012; and

WHEREAS, all necessary expenses incurred by the County in performing these services shall be compensated by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the Special Municipal Election of the City to be held on Tuesday, November 6, 2012, as called by City Council Resolution No. 9303, as part of the County's overall planning, coordination and administration of the County-administered General Election to be held on the same date.

SECTION 2. In connection with the City's consolidated November 6, 2012 Special Municipal Election as called by City Council Resolution No. 9303, the City Council further requests that the County Clerk be authorized and directed to: (a) review and verify absentee voter applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed Special Municipal Election ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required, in light of consolidation; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisors' election consolidation approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City's consolidated Special Municipal Election in all respects as if it were part and parcel of the County-administered General Election of the same date, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 3. As stated in El Monte City Council Resolution No. 9304, the City shall reimburse the County for any additional costs associated with the consolidation of the City's November 6, 2012 Special Municipal Election with the County-administered General Election of the same date.

SECTION 4. The City Clerk of the City of El Monte is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, a certified copy of this Resolution.

SECTION 5. The City Clerk of the City of El Monte shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte



STATE OF CALIFORNIA                     )  
COUNTY OF LOS ANGELES            ) SS:  
CITY OF EL MONTE                    )

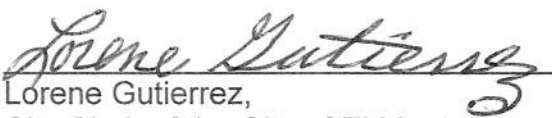
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9305 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

RESOLUTION NO. 9306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING CITY MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, the California Elections Code Sections 9280 et seq. sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures; and

WHEREAS, a Special Municipal Election on Tuesday, November 6, 2012, has been called by City Council Resolution No. 9303, at which there will be submitted to the voters the following measure (the "Measure"):

<b>The El Monte Vital City Services/Childhood Obesity Prevention Measure.</b>	YES
To offset state cuts and maintain police, fire, 9-1-1 emergency services, gang prevention, graffiti removal, youth after school/nutritional/fitness/health programs, senior services; pothole repair; and other general fund services shall an ordinance be adopted implementing a business license fee of one (1) cent per fluid ounce of sugar sweetened beverage served/ provided/traded by businesses in the City requiring annual audits and all funds used locally?	NO

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council authorizes any and all members of the City Council to file a written argument(s) In favor of or against the Measure, accompanied by the printed names and signatures of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code (Elections Code Section 9280 et seq.) and to change the argument(s) until and including the close of business on **August 21, 2012** after which no arguments for or against the Measure may be submitted to the City Clerk.

SECTION 2. Pursuant to Section 9285 of the California Elections Code, when the elections official has selected the arguments for and against the Measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the Measure to the authors of any argument against the Measure and a copy of an argument against the Measure to the authors of any argument in favor of the Measure immediately upon receiving the argument.

SECTION 3. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons.

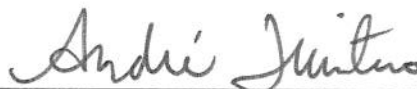
SECTION 4. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers no later than the close of business on **August 30, 2012**; after such time no rebuttal arguments shall be accepted. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of

Argument. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 5. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by **August 21, 2012** with the City Clerk for the filing of primary arguments.

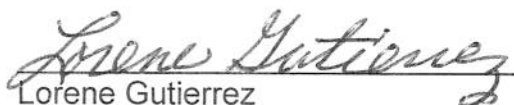
SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution which shall be effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

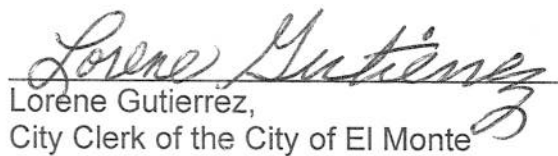
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9306 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

ORDINANCE NO. 2799

AN ORDINANCE OF THE PEOPLE OF THE CITY OF EL MONTE  
IMPOSING A GENERAL BUSINESS LICENSE FEE MEASURED  
BY THE SERVING, PROVIDING OR TRADING OF SUGAR  
SWEETENED BEVERAGES, SUBJECT TO VOTER APPROVAL

WHEREAS, the budget of the City of El Monte ("City"), like the budgets of municipalities throughout the State of California, has been strained and stressed in recent years by a succession of adverse economic and legislative developments, including a depressed housing market, major sales tax reductions caused by the closure of large business operations like automobile dealerships as is the case in El Monte, increased costs for municipal services and State take-a-ways and regulatory mandates; and

WHEREAS, recent economic challenges have forced the City to make significant cuts to staff and services that have presented considerable challenges to the City's ability to maintain adequate core service levels (including public safety and emergency response services) needed to safeguard the health, safety and welfare of the public; and

WHEREAS, on December 29, 2011, the California Supreme Court issued a decision ordering the dissolution of community redevelopment agencies throughout the State of California, including the El Monte Community Redevelopment Agency;

WHEREAS, the United States Congress has also implemented automatic reductions in Federal Funding of the Community Develop Block Grant ("CDBG") Budget as well as the Home Program Budget for Fiscal Years 2012-2013 and beyond;

WHEREAS, the elimination of both redevelopment, reductions to the CDBG and Home Program funding and reductions in sales tax revenues due to the closure automobile dealerships in the City have deprived the City of significant funding sources that helped absorb a significant portion of the City's services and staffing needs over the years;

WHEREAS, the loss of these vital funding sources has created short and long term strains on the City's still fragile general fund revenues and depleted general fund reserves; and

WHEREAS, the long term loss of redevelopment and CDBG and Home Program funds and automobile dealerships places the City at serious risk of depleting its still meager reserves thereby increasing the need to make additional cuts to personnel and services which remain deeply understaffed in light of prior rounds of budget cutting in prior fiscal years; and

WHEREAS, in response to these ongoing fiscal stresses, City Departments have worked diligently under the City Manager's Office and the City's Finance Division to reduce departmental expenditures and implement strategies for greater cost efficiency; and

WHEREAS, budget-cutting alone is not sufficient to address long term issues of fiscal solvency- not without significantly eroding the City's ability to maintain vital infrastructure and provide essential municipal services and programs; and

WHEREAS, the City, despite significant improvements in its fiscal accountability, is again at imminent risk of operating paycheck to paycheck in the very near future if a long term funding source cannot be found to close the funding gaps created by the loss of redevelopment, CDBG and Home Program funding and the closure of auto dealerships; and

WHEREAS, the City's fiscal crisis as herein described is of sufficient gravity and severity that the City must at the earliest feasible juncture propose revenue enhancement measures to the electorate in order to maintain, to the extent possible, the minimal level of governmental services necessary to protect and preserve the health and general welfare of the City's residents, workers and visitors; and



WHEREAS, the City's proposed sugary sweetened beverage license fee measure will help to preserve basic community services and infrastructure obligations during the current economic downturn has prevented the City from building critical operating reserves; and

WHEREAS, a sugary beverage business license fee would i) raise funds to be used for general municipal purposes, including without limitation the initiation of nutritional and health programs for youth and senior citizens; ii) raise the relative price of unhealthy beverages thereby discouraging their consumption; and iii) decrease sales of those beverages and influence demand for healthier alternatives, which may encourage beverage manufacturers to reformulate their products; and

WHEREAS, where as the elimination of redevelopment and federal funding sources have served to undermine the City's original recovery projections and in the absence of secure long-term funding sources risk plunging the City back into a condition of deficit and insufficient reserves; and

WHEREAS, pursuant to Section 2(b) of California Constitution Article XIII C, the City Council has unanimously declared the existence of a fiscal emergency in that there are imminent financial risks and dangers, as described above, to the public welfare and the City's financial ability to provide essential municipal services without disruption, and has called a special municipal election on Tuesday, November 6, 2012, at which election, this Ordinance shall be submitted to the qualified voters of the City of El Monte; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the County-administered General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the Special Municipal Election and that the Special Municipal Election be held in all respects as if it were part and parcel of the County-administered General Election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation; and

WHEREAS, the implementation of the business license fee would go into effect January 1, 2013 upon voter approval.

THE PEOPLE OF THE CITY OF EL MONTE, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Title 5 (Business Licenses and Regulations) of the El Monte Municipal Code is hereby amended by the addition of the following Chapter 5.10 (Sugar Sweetened Beverages), which shall follow Chapter 5.08 (Business License Taxes) and read as follows:

#### **"Chapter 5.10 SUGAR SWEETENED BEVERAGES**

##### **Section 5.10.010 Definitions**

In addition to the definitions appearing in Chapter 1.04 of this Code, the following definitions shall apply to this Chapter:

- A. "Caloric sweetener" means any caloric substance suitable for human consumption that humans perceive as sweet and include, without, limitation, sucrose, fructose, glucose, other sugars and fruit juice concentrates. "Caloric sweetener" excludes non-caloric sweeteners. For purposes of this definition, "caloric" means a substance which adds calories to the diet of a person who consumes that substance.
- B. "Consumer" means any person, including but not limited to a customer, employee or guest who purchases, receives or takes a sugar sweetened beverage at a place within the City to consume it.
- C. "Non-caloric sweetener" means any non-caloric substance suitable for human consumption that humans perceive as sweet and includes, without limitation,

aspartame, saccharin, stevia and sucralose. "Non-caloric sweetener" excludes caloric sweeteners. For purposes of this definition, "non-caloric" means a substance which does not add calories to the diet of a person who consumes the substance.

- D. "Sugar sweetened beverage" means any nonalcoholic beverage, whether or not carbonated, intended for human consumption which contains any added caloric sweetener but excludes a beverage which would not be a sugar sweetened beverage but for the fact that a consumer adds a caloric sweetener to it, whether or not that caloric sweetener is provided by the taxpayer. As used in this definition, "nonalcoholic beverage" means any beverage that contains less than one-half of one percent of alcohol per volume. "Sugar sweetened beverage" shall not include nutritional supplement drinks or rehydration beverages for children and/or seniors, including but not limited to Pedialyte, Ensure, Lucerne, Pediasure.
- E. The City Council is authorized to clarify the inclusion or exclusion of particular beverages that shall be considered "sugar sweetened beverages" by ordinance amending this chapter.

#### **Section 5.10.020 Additional License Fee**

In addition to any other license fees imposed by the City, every person engaging in or conducting any business in the City shall pay a fee of one (1) cent per ounce of sugar sweetened beverage served, provided or traded by the person in the course of doing business in the City. In accordance with the November 6, 2012 election results, the voters authorize the City Council by separate ordinance amending this chapter to transfer the legal incidence of this tax from retailers to the wholesalers who serve them, provided that the tax does not exceed one cent per fluid ounce of sugar-sweetened beverage served, provided or traded in the course of doing business in the City.

#### **Section 5.10.030 Measurement of Activity**

For the purposes of this Chapter, a person serves, provides or trades a sugar sweetened beverage when the person:

- A. Serves a sugar sweetened beverage to a consumer, including consumer self-service;
- B. Dispenses or allows a consumer to dispense a sugar sweetened beverage from a vending machine or similar device; or
- C. Permits a consumer to remove sugar sweetened beverage from the premises of the business.

#### **Section 5.10.040 Calculations of Volume of Sugar Sweetened Beverages Served, Provided or Traded**

- A. A person subject to the fee imposed by Section 5.10.020 may calculate the volume of sugar sweetened beverages consumed, provided or traded during a reporting period as the amount of sugar sweetened beverages (or syrup, mix or similar product used for the creation of sugar sweetened beverages) received by that person from any source in the course of business in the City, less the amount returned by the person to wholesalers or suppliers or otherwise removed from the City without being served, provided or traded.
- B. A person who sells a sugar sweetened beverage prepared from a syrup, mix, powder or similar base product shall report that use in terms of the volume of sugar sweetened beverages that can be prepared from the syrup, mix or similar product.

#### **Section 5.10.050 Exceptions**

The fee imposed by Section 5.10.020 shall not apply to:



- A. Any person who is not subject to taxation by the City under the laws of the United States or the State of California.
- B. Any person under the age of 18 with fewer than \$500 in annual gross receipts.
- C. Any natural person who acquires sugar sweetened beverages solely i) for consumption at his or her residence; (ii) for his or her own consumption; or (iii) for the consumption of members of his or her immediate family.
- D. A person subject to the fee imposed by Section 5.10.020 for a supply of a beverage shall not be owing any amount under Section 5.10.020 for that supply if he or she demonstrates by written proof to the Finance Director or his or her representative that the fee has already been imposed by the City on the supply of the beverage in question and paid by another person to the City in the course of distribution.

#### **Section 5.10.060 Collection**

- A. The fee imposed by Section 5.10.020 shall be due and payable when and as provided in Chapter 5.08 of this Code for other business license taxes due from the taxpayer and shall be calculated based upon the volume of sugar sweetened beverages served, provided or traded during a reporting period.
- B. The City Council may, by ordinance, require one or more businesses to calculate and pay the fee on a more frequent basis to ensure the effective enforcement of this Chapter. Such an ordinance shall not constitute an increase of the tax.

#### **Section 5.10.070 Enforcement**

- A. Except as otherwise provided by this Chapter, the fee imposed by Section 5.10.020 shall be administered as fees are imposed pursuant to Chapter 5.08 of this Code, and without limitation, taxes imposed under 5.10.020 shall be subject to the same penalties, appeals processes and other enforcement provisions set forth in Chapter 5.08.
- B. The Finance Director may issue regulations interpreting this Chapter to facilitate its enforcement.

#### **Section 5.10.080 Use of Proceeds**

The use of proceeds of the fee imposed by Section 5.10.020 shall be deposited in the City's general fund and shall be available for any lawful municipal purpose.

#### **Section 5.10.090 Declaration of Purpose**

This Chapter is enacted solely to raise revenue for municipal purposes and is not intended for the purpose of regulation. It shall apply to all persons engaged in business in the City. Fees imposed by this Chapter are general taxes for purposes of Article XIII C of the California Constitution. This Chapter does not authorize the conduct of any business or activity in the City, but merely provides for the taxation of such businesses or activities as they occur.

#### **Section 5.10.100 Not a Sale and Use Tax**

The tax imposed by this Chapter is a tax upon the privilege of conducting business within the City. It is not a sales, use or other excise tax on the sale, consumption or use of sugar sweetened beverages".

SECTION 2. Amendment of Ordinance. This Ordinance may be amended by the City Council without a vote of the people except that voter approval shall be required for either of the following as required by Article XIII C of the California Constitution: (i) any amendment that increases the amount or rate of tax beyond the levels authorized by the voters when this Ordinance was approved by the voters, or (ii) reductions of the tax rate below one (1) cent per fluid ounce; or (iii) significantly reducing the base of business activity to which the tax applies.

SECTION 3. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this Ordinance.

SECTION 4. Severability. If any section, paragraph, sub-paragraph, sentence, phrase, word or definition contained in, or adopted by, this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining chapters, sections, paragraphs, sub-paragraphs, sentences, phrases, words or definitions contained in, and adopted by, this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every chapter, section, paragraph, sub-paragraph, sentence, phrase, words or definition not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. CEQA. This ordinance and the contemplated levy of the transactions and use tax referenced herein is not a "project" within the meaning of the California Environmental Quality Action codified as 21000 et seq. of the California Public Resources Code ("CEQA") because it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does it involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

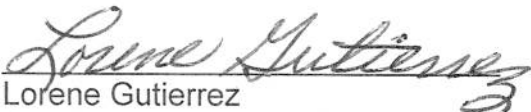
SECTION 6. Effective Date; Majority Approval. If approved by a majority of the voters voting on the question, this Ordinance shall be effective on January 1, 2013.

I hereby certify that this Ordinance was adopted by a vote of the People of the City of El Monte, California on November 6, 2012



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES        ) SS:  
CITY OF EL MONTE                )

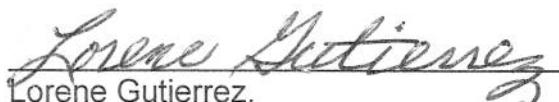
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Ordinance No. 2799 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Ordinance was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

RESOLUTION NO. 9313

A RESOLUTION OF THE EL MONTE CITY COUNCIL REQUESTING THAT THE BOARD OF SUPERVISORS FOR THE COUNTY OF LOS ANGELES APPROVE CONSOLIDATION OF AN EL MONTE ADVISORY ELECTION IN CONNECTION WITH A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DAY

WHEREAS, the City Council of the City of El Monte has called a special municipal election/advisory election to be held on the day of the County-administered general election of November 6, 2012 (the "General Election") upon the adoption of City Council Resolution No. 9313; and

WHEREAS, upon the adoption of City Council Resolution No. 9303, the City Council has submitted to the voters at the General Election an ordinance imposing a general business license fee measured by the serving, providing, or trading of sugar-sweetened beverages (the "Ordinance"); and

WHEREAS, the Ordinance imposes a general tax to be placed in the general fund of the City and which can be used for any lawful purpose of the City (the "Tax"); and

WHEREAS, the City Council desires to submit an advisory question to the electorate regarding the use of proceeds of the Tax; and

WHEREAS, the City Council desires to call an advisory election to be consolidated with the General Election; and

WHEREAS, the City Council desires to submit its advisory question to the voters at that advisory election.

WHEREAS, it is desirable that the advisory election as called by City Council Resolution No. 9313 be consolidated with the County-administered general election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the special municipal election and that the advisory election be held in all respects as if it were part and parcel of the County-administered general election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, it is respectfully requested that the Board of Supervisors of the County of Los Angeles (the "Board of Supervisors") consent and agree to the consolidation of the City of El Monte's November 6, 2012 special municipal election with the County-administered general election of the same date.

SECTION 2. The El Monte special municipal election as called by City Council Resolution No. 9313 shall be for the purpose of submitting to El Monte voters the following advisory ballot measure (the "Advisory Measure") question:

<p>ADVISORY VOTE ONLY: If the "El Monte Vital City Services/Childhood Obesity Prevention Measure" passes on November 6, 2012, should the use of those revenues be used primarily to pay for the following public services: police and fire emergency services, park and recreational programs including new sports fields, health and wellness programs for children and senior citizens and other projects to prevent and treat diabetes and childhood obesity?</p>	YES
	NO

It is respectfully requested that the County assign an identifying letter to this Advisory Measure of the City.

SECTION 3. That it is also respectfully requested that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles (the "County Registrar") to canvass for the Advisory Measure the returns of the consolidated El Monte special municipal election for the Advisory Measure and that said election be held in all respects as if it were part and parcel of the County-administered general election on November 6, 2012.

SECTION 4. That it is further respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a) Print and supply ballots for the City of El Monte special municipal election as called by City Council Resolution No. 9313.
- b) Mail the ballot question, ballot arguments, rebuttals, and the City Attorney's Impartial Analysis for the Advisory Measure to the registered voters in the City of El Monte.


SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election as the Advisory Measure requested above.

SECTION 6. That the City Council of the City of El Monte, recognizing that additional costs may be incurred by the County of Los Angeles by reason of consolidation, agrees to reimburse the County for any such costs.

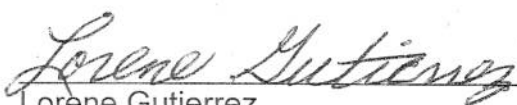
SECTION 7. That the City Clerk of the City of El Monte is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk along with a certified copy of the resolution calling the November 6, 2012 special municipal election under City Council Resolution No. 9313.

SECTION 8. That the City Clerk of the City of El Monte shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.

  
Andre Quintero,  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

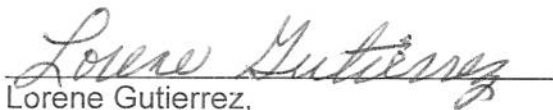
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9313 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES:           Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
                    Councilwoman Martinez and Councilman Patel

NOES:           None

ABSTAIN:       None

ABSENT:        None

  
\_\_\_\_\_  
Lorene Gutierrez,  
City Clerk of the City of El Monte



RESOLUTION NO. 9314

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF EL MONTE, CALIFORNIA, CALLING, GIVING  
NOTICE OF A SPECIAL ELECTION/ ADVISORY  
ELECTION AND REQUESTING CONSOLIDATION OF  
AN EL MONTE SPECIAL MUNICIPAL ELECTION TO  
BE HELD ON NOVEMBER 6, 2012 WITH THE  
COUNTY-ADMINISTERED GENERAL ELECTION OF  
THE SAME DAY

The City Council of the City of El Monte, California, does hereby find, determine and resolve as follows:

WHEREAS, the City Council of the City of El Monte has called a special municipal election to be held on the day of the County-administered General Election of November 6, 2012 (the "General Election") in order for the City Council to submit a proposed general tax measure for consideration and approval by the voters of the City of El Monte; and

WHEREAS, the ordinance as proposed by the City Council to the voters (the "Ordinance" ) at the General Election imposes a general business license tax on certain persons measured by the serving, providing, or trading of sugar-sweetened beverages ; and

WHEREAS, the tax revenues as may be payable to the City following the enactment of the Ordinance (the "Tax") by the voters shall be deposited in the general fund of the City and the proceeds of the Tax may be used and applied for any lawful purpose of the City; and

WHEREAS, the City Council desires to call an advisory election to be consolidated with the General Election in order to submit an advisory question to the electorate regarding the use of proceeds of the Tax; and

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, AS FOLLOWS:

1. Pursuant to Election Code Section 9603, there shall be and there is hereby called and ordered held in the City of El Monte, California, a special municipal election /advisory election on Tuesday, November 6, 2012 (the "Advisory Election") to consider the advice of the voters with respect to the Tax as more fully described in Section 2 of this Resolution.
2. The City Clerk is hereby directed to submit the following advisory question (the "Advisory Measure") to the qualified voters of the City of El Monte at the Advisory Election:

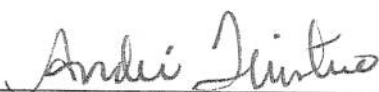
"ADVISORY VOTE ONLY: If the Sugary Sweetened Beverage License Fee ballot measure passes on November 6, 2012, the new tax revenues should be used primarily to pay for the following public services: police and fire emergency services; parks and recreation programs including new sports fields; health and wellness programs for children and senior citizens; and other projects to prevent and treat diabetes and childhood obesity."

3. The City Council hereby declares its intent to consolidate the Advisory Election with the General Election to be held on November 6, 2012.

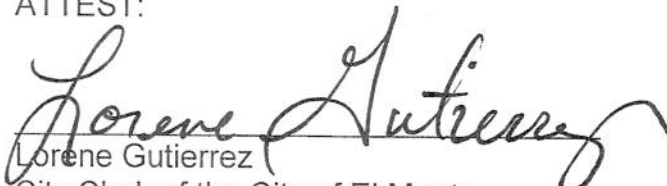


4. In all particulars not recited in this Resolution, the Advisory Election on the Advisory Measure shall be held and conducted as provided by law applicable to an advisory vote.
5. Notice of the time and place of holding the Advisory Election is hereby given and the City Clerk is authorized, instructed, and directed to publish notice thereof as required by law.
6. The City Clerk shall certify to the passage and adoption of this Resolution and enter into the original Resolutions.
7. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters of Los Angeles County.

Passed, approved and adopted on this 31st day of July, 2012.

  
Andre Quintero  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

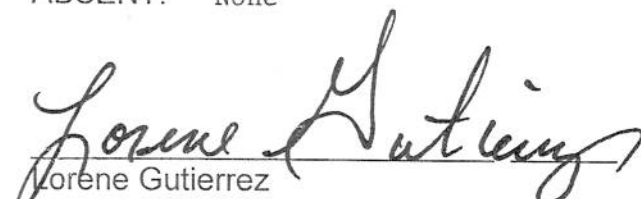
STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    )    SS:  
CITY OF EL MONTE            )

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 9314 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at an adjourned regular meeting of said Council held on the 31st day of July, 2012 and that said ordinance was adopted by the following vote to-wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSENT: None

  
Lorene Gutierrez  
City Clerk of the City of El Monte

RESOLUTION NO. 9315

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S SPECIAL MUNICIPAL ELECTION/ADVISORY ELECTION OF TUESDAY, NOVEMBER 6, 2012 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DATE

WHEREAS, a special municipal election/advisory election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 6, 2012 in accordance with City Council Resolution No. 9313 and other applicable law; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 9314 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's special municipal election/advisory election as called by City Council Resolution No. 9313 with the County-administered general election to be held Tuesday, November 6, 2012; and

WHEREAS, all necessary expenses incurred by the County in performing these services shall be compensated by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the special municipal election/advisory election of the City to be held on Tuesday, November 6, 2012, as called by City Council Resolution No. 9313, as part of the County's overall planning, coordination and administration of the County-administered General Election to be held on the same date.

SECTION 2. In connection with the City's consolidated November 6, 2012 special municipal election/advisory election as called by City Council Resolution No. 9313 for November 6, 2012, the City Council further requests that the County Clerk be authorized and directed to: (a) review and verify absentee voter applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed special municipal election ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required, in light of consolidation; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisors' election consolidation approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City's consolidated special municipal election in all respects as if it were part and parcel of the County-administered General Election of the same date, implementing all such legally

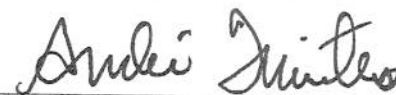
required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 3. As stated in El Monte City Council Resolution No. 9313, the City shall reimburse the County for any additional costs associated with the consolidation of the City's November 6, 2012 special municipal election/advisory election with the County-administered general election of the same date.

SECTION 4. The City Clerk of the City of El Monte is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, a certified copy of this Resolution.

SECTION 5. The City Clerk of the City of El Monte shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

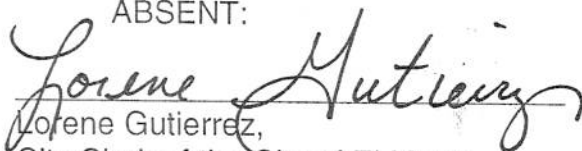
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9313 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT:

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

RESOLUTION NO. 9316

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING CITY MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, the California Elections Code Sections 9280 et seq. sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures; and

WHEREAS, a special municipal election/advisory election on Tuesday, November 6, 2012, has been called by City Council Resolution No. 9316, at which there will be submitted to the voters the following measure (the "Measure"):

"ADVISORY VOTE ONLY: If the Sugary Sweetened Beverage License Fee ballot measure passes on November 6, 2012, the new tax revenues should be used primarily to pay for the following public services: police and fire emergency services; parks and recreation programs including new sports fields; health and wellness programs for children and senior citizens; and other projects to prevent and treat diabetes and childhood obesity."	YES
	NO

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council authorizes any and all members of the City Council to file a written argument(s) In favor of or against the Measure, accompanied by the printed names and signatures of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code (Elections Code Section 9280 et seq.) and to change the argument(s) until and including the close of business on August 21, 2012 after which no arguments for or against the Measure may be submitted to the City Clerk.

SECTION 2. Pursuant to Section 9285 of the California Elections Code, when the elections official has selected the arguments for and against the Measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the Measure to the authors of any argument against the Measure and a copy of an argument against the Measure to the authors of any argument in favor of the Measure immediately upon receiving the argument.

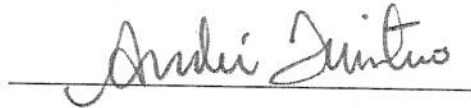
SECTION 3. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons.

SECTION 4. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers no later than the close of business on **August 30, 2012**; after such time no rebuttal arguments shall be accepted. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 5. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by August 21, 2012 with the City Clerk for the filing of primary arguments.

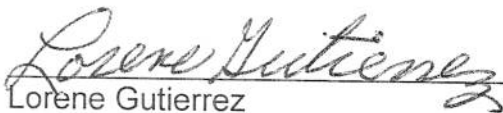
SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution which shall be effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

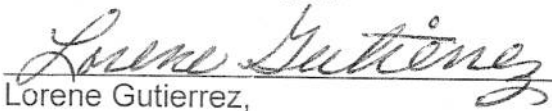
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9316 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None



Lorene Gutierrez,  
City Clerk of the City of El Monte



ORDINANCE NO. 2802

AN ORDINANCE OF EL MONTE CITY COUNCIL  
ADDING SECTION 15.10.095 OF CHAPTER 15.10  
(SUGAR SWEETENED BEVERAGES) OF TITLE 5  
(BUSINESS LICENSE TAXES) OF THE EL MONTE  
MUNICIPAL CODE

WHEREAS, the City Council of the City of El Monte has called a special municipal election by its City Council Resolution No. 9313 to be consolidated and held on the day of the County-administered general election of November 6, 2012 (the "General Election"); and

WHEREAS, the City Council has submitted to the voters at the General Election an ordinance imposing a general business license fee measured by the serving, providing, or trading of sugar-sweetened beverages (the "Ordinance"); and

WHEREAS, the Ordinance imposes a general tax to be placed in the general fund of the City and which can be used for any lawful purpose of the City (the "Tax"); and

WHEREAS, it is now desirable for the City Council to enact an ordinance creating an oversight committee which is comprised of the citizens of El Monte to aid in the fiscal oversight of the expenditure of the revenues collected from the Tax.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND AND ORDAIN AS FOLLOWS:

SECTION 1. Chapter 15.10 (SUGAR SWEETENED BEVERAGES) of the El Monte Municipal Code is hereby amended by adding Section 15.10.095 (Citizen Oversight Committed), which shall state the following:

"Section 15.10.095 – Citizen Oversight Committee

- A. The City Council shall establish a Citizen Oversight Committee to analyze and provide oversight as to the annual expenditure of revenues generated pursuant to this chapter. The committee shall consist of at least three (3) members and shall have such composition and structure as may be established by City Council resolution. The committee may not include more than two (2) members of the City Council. The El Monte Finance Division shall be the division responsible for providing administrative assistance as well as analytical and technical support to the committee.
- B. Section 5.10.095A shall only be applicable if the voters approve the November 6, 2012 special municipal election Sugary Sweetened Beverage License Fee Measure."

SECTION 2. Inconsistent Provisions. Any provision of the El Monte Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the limited extent necessary to affect the provisions of this Ordinance.

SECTION 3. Severability. If any section, paragraph, sub-paragraph, sentence, phrase, word or definition contained in, or adopted by, this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining chapters, sections, paragraphs, sub-paragraphs, sentences, phrases, words or definitions contained in, and adopted by, this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every chapter, section, paragraph, sub-paragraph, sentence, phrase, words or definition not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. The Mayor shall sign and the City Clerk attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the



RESOLUTION NO. 9321

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE GIVING NOTICE AND CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 2012 TO SUBMIT TO THE VOTERS OF THE CITY OF EL MONTE A QUESTION RELATING TO THE REPEAL OF A 1990 VOTER APPROVED ORDINANCE WHICH PREVENTS THE CITY OF EL MONTE FROM INQUIRING INTO THE REASONABLENESS OF RENT LEVELS IN MOBILEHOME PARKS (FAIRNESS FOR MOBILEHOME OWNERS ORDINANCE)

WHEREAS, at a municipal election conducted on April 10, 1990, the voters of the City of El Monte (the "City") approved an initiative ordinance (the "1990 Ordinance") which, among other things, bars the City Council of the City from enacting any measure which "...authorizes restrictions, ceilings, controls, or arbitration, mediation, administrative hearings, or trials concerning or which in any way relates to the subject to [sic] mobilehome park rents in El Monte which affects any Landlord..."; and

WHEREAS, in recent months, the City Council has received reports that the mobilehome owner "Rental Assistance Subsidy" program, as this term is defined in the 1990 Ordinance, authorized by the 1990 Ordinance, is not currently being offered to "Qualifying Tenants" in certain mobilehome parks or is not otherwise being implemented by mobilehome park landlords in other mobilehome parks to any significant or meaningful degree, and that the Rental Assistance Subsidy program, as enacted under the 1990 Ordinance, and the assistance it potentially offers to Qualifying Tenants, appears to be generally unused and its potential benefits are not generally available to a significant number of mobilehome park residents who may otherwise qualify for the Rental Assistance Program; and

WHEREAS, in recent months, the City Council has also received reports that mobilehome space rental rates at one or more mobilehome parks in the City are at significantly higher levels in comparison to rental rates for comparable space at other mobilehome parks in the City; and

WHEREAS, the restrictions imposed on the City Council under certain provisions of the 1990 Ordinance may be having an affect which was not intended by the voters in 1990, of enabling certain mobilehome park landlords to charge mobilehome park rents to residents which are disproportionately greater than rent levels at other comparably situated and improved mobilehome parks in the City; and

WHEREAS, in light of the passage of twenty two (22) years since the time of adoption of the 1990 Ordinance by the voters, it is appropriate for the City Council to consult with the voters of the City to confirm whether the 1990 Ordinance should be maintained or repealed so that the City Council may make all appropriate inquiry into the issue of present-day mobilehome park rental rates and the effect of potential rental rate increases in the future on the residents of mobilehome parks in the City of El Monte; and

WHEREAS, the City Council shall request the voters to consider the enactment of the ordinance attached hereto as Exhibit "A" (the "Ordinance") at the special municipal election as hereby called by this Resolution as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Monte as follows:

SECTION 1. Pursuant to the requirements of the laws of the State of California relating to general law cities and Elections Code Section 9222 and Section 12001, the City Council hereby orders and calls a special municipal election to be held in the City of El Monte, California on Tuesday, November 6, 2012, for the voters of the City to consider the adoption of the Ordinance at a special municipal election to be consolidated with the County-administered

general election to be held on said date, for the purpose of submitting to the qualified electors of the City the enactment of the Ordinance.

SECTION 2. The measure as more fully set forth in the Ordinance to be placed on the ballot for the special municipal election as hereby called for November 6, 2012, shall be printed in the ballots used at said election in substantially the following form:

<b>El Monte Fairness For Mobilehome Owners Ordinance</b>  Shall the ordinance adopted by the voters in April 1990 be repealed in order to allow the City Council to investigate the reasonableness of rent charged to mobilehome owners and if appropriate, consider the regulation of proposed mobilehome park rent increases in the future?	YES
	NO

The foregoing question requires the approval of a simple majority of those casting votes on the Ordinance. It is further requested that the Registrar-Recorder of Los Angeles County assign an identifying ballot measure letter to the measure as more fully set forth in the Ordinance.

SECTION 3. The ballots to be used at the election shall be in form and content as required by law.

SECTION 4. The polls shall be open at 7:00 a.m. of the day of the special election as called by this Resolution, and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the California Elections Code.

SECTION 5. Under separate resolution, the Board of Supervisors of Los Angeles County shall cause the precincts, polling places and election officers for the election as called by this Resolution, to be established and cause the returns of such election to be canvassed and to certify the same to the City Council of the City of El Monte.

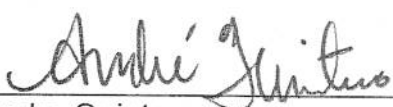
SECTION 6. The City Council hereby directs the City Clerk to transmit a copy of the measure as more fully set forth in the Ordinance to the City Attorney. The City Attorney shall cause to be prepared an impartial analysis of the Ordinance showing the effect of passage of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of the primary arguments.

SECTION 7. In all particulars not recited in this Resolution, the election hereby called by this Resolution shall be as provided by law for holding municipal elections in the City.

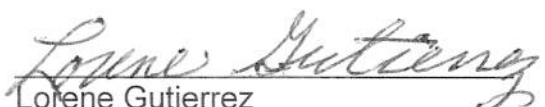
SECTION 8. Notice of the time and place of holding the election as called by this Resolution is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.

  
Andre Quintero,  
Mayor of the City of El Monte

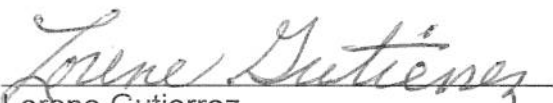
ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES        ) SS:  
CITY OF EL MONTE                    )

I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9321 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

- AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias, Councilwoman Martinez and Councilman Patel
- NOES: None
- ABSTAIN: None
- ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

RESOLUTION NO. 9322

A RESOLUTION OF THE EL MONTE CITY COUNCIL REQUESTING THAT THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY APPROVE CONSOLIDATION OF AN EL MONTE SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012 WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DAY (FAIRNESS FOR MOBILEHOME OWNERS ORDINANCE)

WHEREAS, the City Council of the City of El Monte has called a special municipal election upon its adoption of City Council Resolution No. 9321, to be held on the day of the County-administered general election of November 6, 2012; and

WHEREAS, at a municipal election conducted on April 10, 1990, the voters of the City of El Monte (the "City") approved an initiative ordinance (the "1990 Ordinance") which bars the City Council of the City from enacting any measure which "...authorizes restrictions, ceilings, controls, or arbitration, mediation, administrative hearings, or trials concerning or which in any way relates to the subject to [sic] mobilehome park rents in El Monte which affects any Landlord..."; and

WHEREAS, the City Council is submitting to the qualified voters of the City of El Monte a measure in the form as attached as an exhibit to City Council Resolution No. 9324 in order for the voters to consider the adoption of an ordinance (the "Ordinance") which repeals the 1990 Ordinance which prevents the City of El Monte from inquiring into the reasonableness of rent levels in mobilehome parks; and

WHEREAS, it is desirable that the special municipal election as called by City Council Resolution No. 9321 be consolidated with the County-administered general election to be held on November 6, 2012 and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Registrar-Recorder/County Clerk for the County of Los Angeles canvass the returns of the Special municipal election as called by City Council Resolution No. 9324 and that the special municipal election as called by City Council Resolution No. 9321 be held in all respects as if it were part and parcel of the County-administered general election to be conducted on November 6, 2012; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation of elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the requirements of Section 10403 of the California Elections Code, the City Council of the City of El Monte respectfully requests that the Board of Supervisors of the County of Los Angeles (the "Board of Supervisors") consent and agree to the consolidation of the City of El Monte's November 6, 2012 special municipal election as called by City Council Resolution No. 9322 for consideration of the Ordinance, with the County-administered general election of November 6, 2012.

SECTION 2. The El Monte special municipal election as called by City Council Resolution No. 9321 shall be for the purpose of submitting to El Monte voters the following ballot measure question:



<b>El Monte Fairness For Mobilehome Owners Ordinance</b>	YES
Shall the ordinance adopted by the voters in April 1990 be repealed in order to allow the City Council to investigate the reasonableness of rent charged to mobilehome owners and if appropriate, consider the regulation of proposed mobilehome park rent increases in the future?	NO

SECTION 3. It is also respectfully requested that the Board of Supervisors authorize and direct the Office of the Registrar-Recorder/County Clerk of Los Angeles County (the "County Registrar") to canvass the returns of the consolidated El Monte special municipal election for November 6, 2012 as called by City Council Resolution No. 9322 and that said election be held in all respects as if it were part and parcel of the County-administered general election of the same date.

SECTION 4. It is further respectfully requested that the Board of Supervisors authorize and direct the County Registrar to:

- a) Print and supply ballots for the City of El Monte special municipal election as called by City Council Resolution No. 9323;
- b) Mail the ballot question, ballot arguments, rebuttals, and the City Attorney's Impartial Analysis to the registered voters in the City of El Monte.

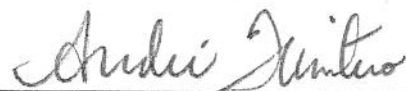
SECTION 5. It is also respectfully requested that the Board of Supervisors issue instructions to the County Registrar to take any and all additional steps necessary for the holding of the consolidated election requested above.

SECTION 6. The City Council of the City of El Monte, recognizes that additional costs may be incurred by the County of Los Angeles by reason of consolidation of a special municipal election with the general election on November 6, 2012, and the City hereby agrees to reimburse the County of Los Angeles for any such additional costs.

SECTION 7. The City Clerk of the City of El Monte is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk, along with a certified copy of City Council Resolution No. 9321 calling the November 6, 2012 special municipal election for the Ordinance.

SECTION 8. The City Clerk of the City of El Monte shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.



Andre Quintero,  
Mayor of the City of El Monte

ATTEST:



Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

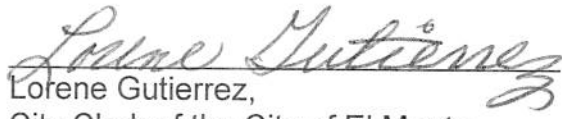
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9322 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte



RESOLUTION NO. 9323

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S SPECIAL MUNICIPAL ELECTION OF TUESDAY, NOVEMBER 6, 2012 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED GENERAL ELECTION OF THE SAME DATE (FAIRNESS FOR MOBILEHOME OWNER ORDINANCE)

WHEREAS, a Special Municipal Election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 6, 2012 in accordance with City Council Resolution No. 9321 and other applicable law; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 9322 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's special municipal election as called by City Council Resolution No. 9321 with the County-administered general election to be held Tuesday, November 6, 2012; and

WHEREAS, all necessary expenses incurred by the County of Los Angeles (the "County") in performing these services shall be compensated by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the special municipal election of the City to be held on Tuesday, November 6, 2012, as called by City Council Resolution No. 9323, as part of the County's overall planning, coordination and administration of the general election to be held on the same date.

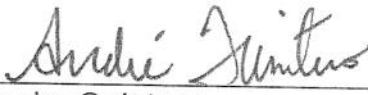
SECTION 2. In connection with the City's consolidated November 6, 2012 special municipal election as called by City Council Resolution No. 9321, the City Council further requests that the County Clerk be authorized and directed to: **(a)** review and verify absentee voter applications and signatures; **(b)** conduct registered voter verifications (including signature verifications) associated with the processing of the proposed special municipal election ballot measure; **(c)** provide the City with the appropriate election precinct data, to the extent required, in light of consolidation; **(d)** make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisors' election consolidation approval; **(e)** canvass the election returns; **(f)** print and supply ballots for the election; **(g)** mail the City's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and **(h)** administer the City's consolidated special municipal election in all respects as if it were part and parcel of the County-administered general election of the same date, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 3. As stated in El Monte City Council Resolution No. 9323, the City shall reimburse the County for any additional costs associated with the consolidation of the City's November 6, 2012 special municipal election with the County-administered general election of the same date.


SECTION 4. The City Clerk of the City of El Monte is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, a certified copy of this Resolution.

SECTION 5. The City Clerk of the City of El Monte shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.

  
Andre Quintero,  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

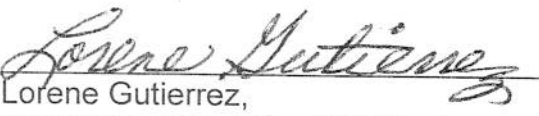
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9323 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias, Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte

RESOLUTION NO. 9324

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS REGARDING A CITY BALLOT MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS (FAIRNESS FOR MOBILEHOME OWNERS ORDINANCE)

WHEREAS, the California Elections Code Sections 9280 et seq. sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures; and

WHEREAS, a special municipal election has been called for Tuesday, November 6, 2012, by City Council Resolution No. 9324, at which time there will be submitted to the voters the following measure (the "Measure"):

<b>El Monte Fairness For Mobilehome Owners Ordinance</b>  Shall the ordinance adopted by the voters in April 1990 be repealed in order to allow the City Council to investigate the reasonableness of rent charged to mobilehome owners and if appropriate, consider the regulation of proposed mobilehome park rent increases in the future?	YES
	NO

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council authorizes any and all members of the City Council to file a written argument(s) In favor of or against the Measure, accompanied by the printed names and signatures of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the California Elections Code (Elections Code Section 9280 et seq.) and to change the argument(s) until and including the close of business on **August 21, 2012** after which no arguments for or against the Measure may be submitted to the City Clerk.

SECTION 2. Pursuant to Section 9285 of the California Elections Code, when the elections official has selected the arguments for and against the Measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the Measure to the authors of any argument against the Measure and a copy of an argument against the Measure to the authors of any argument in favor of the Measure immediately upon receiving the argument.

SECTION 3. The author, or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons.

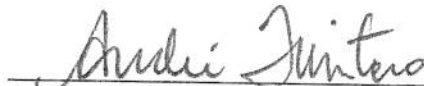
SECTION 4. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers no later than the close of business on **August 30, 2012**; after such time no rebuttal arguments shall be accepted. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument. Rebuttal arguments shall be printed in the same manner as the direct

arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.


SECTION 5. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by **August 21, 2012** with the City Clerk for the filing of primary arguments.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution which shall be effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of El Monte at its regular meeting on this 31st day of July, 2012.

  
Andre Quintero,  
Mayor of the City of El Monte

ATTEST:

  
Lorene Gutierrez  
City Clerk of the City of El Monte

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF EL MONTE            )

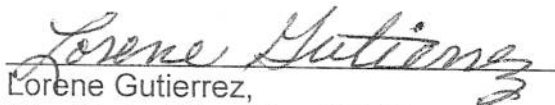
I, Lorene Gutierrez, City Clerk of the City of El Monte, do hereby certify that the above and foregoing Resolution No. 9324 was passed, approved, and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a meeting of said City Council of the City of El Monte held on this 31st day of July 2012, and that said Resolution was adopted by the following votes to wit:

AYES: Mayor Quintero, Mayor Pro-Tem Gomez, Councilwoman Macias,  
Councilwoman Martinez and Councilman Patel

NOES: None

ABSTAIN: None

ABSENT: None

  
Lorene Gutierrez,  
City Clerk of the City of El Monte



ORDINANCE NO. 2804

[NOVEMBER 6, 2012 SPECIAL MUNICIPAL  
ELECTION BALLOT MEASURE]

AN ORDINANCE OF THE PEOPLE OF THE CITY  
OF EL MONTE REPEALING THE VOTER  
INITIATIVE ORDINANCE APPROVED AT THE EL  
MONTE MUNICIPAL ELECTION CONDUCTED ON  
APRIL 10, 1990 REGARDING MOBILEHOME  
PARK RENT

The People of the City of El Monte do ordain as follows:

SECTION 1. TITLE

This Ordinance shall be known and referred to as the "El Monte Fairness for Mobilehome Owners Ordinance."

SECTION 2. FINDINGS AND DECLARATION OF PURPOSE

1. At a municipal election conducted on April 10, 1990, the voters of the City of El Monte (the "City") approved an initiative ordinance (the "1990 Ordinance") which, among other things, bars the City Council of the City from enacting any measure which "...authorizes restrictions, ceilings, controls, or arbitration, mediation, administrative hearings, or trials concerning or which in any way relates to the subject to [sic] mobilehome park rents in El Monte which affects any Landlord..."; and

2. In early 2012, the City Council began to receive reports that the mobilehome owner "Rental Assistance Subsidy" program, as this term is defined in the 1990 Ordinance, authorized by the 1990 Ordinance, is not currently being offered to "Qualifying Tenants" in certain mobilehome parks or is not otherwise being implemented by mobilehome park landlords in other mobilehome parks to any significant or meaningful degree, and that the Rental Assistance Subsidy program, as enacted under the 1990 Ordinance, and the assistance it potentially offers to Qualifying Tenants, appears to be generally unused and its potential benefits are not generally available to a significant number of mobilehome park residents who may otherwise qualify for the Rental Assistance Program; and

3. Also in early 2012, the City Council received reports that mobilehome space rental rates at one or more mobilehome parks in the City are at significantly higher levels in comparison to rental rates for comparable space at other mobilehome parks in the City; and

4. The restrictions imposed on the City Council under certain provisions of the 1990 Ordinance may be having an affect which was not intended by the voters in 1990, of enabling certain mobilehome park landlords to charge mobilehome park rents to residents which are disproportionately greater than rent levels at other comparably situated and improved mobilehome parks in the City; and

5. In light of the passage of twenty two (22) years since the time of adoption of the 1990 Ordinance by the voters, it is appropriate for the City Council to consult with the voters of the City to confirm whether the 1990 Ordinance should be maintained or repealed so that the City Council may make all appropriate inquiry into the issue of present-day mobilehome park rental rates and the effect of potential rental rate increases in the future on the residents of mobilehome parks in the City of El Monte; and

6. The purpose of this ordinance (the El Monte Fairness for Mobilehome Owners Ordinance) is for the voters to consider the repeal of the 1990 Ordinance.

7. The City Council has adopted its City Council Resolution No. 9321 dated July 31, 2012, giving notice and calling a special election for the voters to consider the adoption of this El Monte Fairness for Mobilehome Owners Ordinance.

### SECTION 3. REPEAL OF 1990 ORDINANCE

The ordinance of the City of El Monte as previously adopted by the voters at the El Monte municipal election conducted on April 10, 1990, (the "1990 Ordinance"), is hereby repealed in its entirety upon the passage of this Ordinance by the voters at the El Monte municipal election conducted on November 6, 2012.

### SECTION 4. NON-INTERFERENCE WITH EXISTING RENTAL ASSISTANCE SUBSIDY CONTRACTS OR AGREEMENTS

The passage of this Ordinance shall not cancel, interrupt or terminate any contract or other agreement by and between a "Landlord" and a "Mobilehome Owner" or a "Qualifying Tenant" for a "Rental Assistance Subsidy" as each of these terms are defined under the 1990 Ordinance, and each such contract or agreement, if any, which may be in effect on the date of passage of this Ordinance by the voters, shall thereafter remain in effect and shall be enforceable in accordance with its terms for the period of time set forth under such contract or other agreement between a Landlord and a Mobilehome Owner or Qualifying Tenant.

### SECTION 5. SEVERABILITY

If any provision of this Ordinance, or the application to any person or circumstance is held invalid or void, such invalidity or voidness shall not affect other provisions or applications which can be given effect without the invalid or void provision or application, and to this end, the provisions of this Ordinance are declared to be severable. This Ordinance shall be liberally construed to achieve the purposes of this Ordinance and preserve its validity.


### SECTION 6. EFFECTIVE DATE OF THIS ORDINANCE

The provisions of this Ordinance shall take effect upon the passage of this Ordinance by the approving vote of the electors of the City of El Monte at the election ordered and called by City Council Resolution No. 9321, dated July 31, 2012.

UPON THE CERTIFICATION OF THE ELECTION RESULTS OF THE ELECTION AT WHICH THE VOTERS OR THE CITY OF EL MONTE PASS THIS ORDINANCE, THE MAYOR AND THE CITY CLERK SHALL EACH SIGN THIS ORDINANCE AT THE PLACE INDICATIONE BELOW TO EVIDENCE SUCH VOTER PASSAGE AND ELECTION CERTIFICATION.

Date: July 31, 2012

  
Andre Quintero  
Mayor

  
Lorene Gutierrez  
City Clerk of the City of El Monte